

## SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

August 27-31, 2001

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
8-27	EX	75/743,430	IBERIA, Lineas Aereas de Espana, S.A.	Simms Hohein* Holtzman	2(d)	Refusal Reversed		"BUSINESS INTERCONTINENTAL" (and design) [airline transport services, namely, transportation of passengers and goods by air; baggage handling inspections for airlines]	"INTER-CONTINENTAL" [stenographic and typing services; arranging and planning meetings for others; management and staffing of hotels, restaurants, and conference centers for others; consultation services in construction, operation and management of hotels, restaurants and conference centers; development and organization of tour travel and packages for hotel guests; travel agency services; limousine transportation services; parking garage services; entertainment services, namely, sponsoring musical performances and providing in -room movies to hotel guests; planning and designing conference centers, hotels and meeting facilities for others]	Eulin	No

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8-27	EX	75/481,838	Astro West Inc.	Cissel Hohein* Wendel	2(d)	Refusal Affirmed		"VIRILE-X" [herbal food supplement for male sexuality and virility]	"VIRILEX" [ayurvedic preparations being food supplements]	Yontef	No
8-27	EX	75/399,381	Café Rico, Inc.	Cissel Hohein* Walters	2(d)	Refusal Affirmed		"CAFÉ RICO" (and design) [coffee]	"RICO" [coffee]	Bello	No
8-27	EX	75/638,838	P-G Industries, Inc.	Cissel Chapman Wendel*	2(d)	Refusal Reversed		"IRONROX" [castable refractory mixes]	"IRONROCK" [bricks, tiles and paving stones]	Rupp	No
8-29	EX	75/026,799	Continuum Care Corp.	Quinn Wendel* Holtzman	genericness; whether, if not generic, mark is registrable under Sec. 2(f)	Refusal Affirmed		"CONTINUUM CARE" [assisted living facility and retirement home]		Gorman	No
8-29	EX	75/527,748	Jack Russo	Hanak Chapman Wendel*	2(e)(1); requirement for materials under Rule 2.61(b)	Refusal Affirmed (on 2(e)(1) ground only)		"LAWYERSVIDEO" [providing legal information over a global computer network]		Micheli	No
8-29	EX	75/405,999	Pyro-Spectaculars, Inc.	Hohein* Wendel Rogers	2(d)	Refusal Affirmed		"SKY CONCERT" [entertainment services, namely, production of events and shows featuring pyrotechnics synchronized with music]	"CONCERT IN THE SKY" [entertainment services in the nature of a musical fireworks show]	Maciol	No
8-29	EX	75/484,640	American Airlines, Inc.	Cissel* Seeherman Wendel	2(e)(1)	Refusal Affirmed		"INVENTORY SUPPORT INTERNATIONAL" [retail stores featuring new, used and refurbished airplane parts; storage of airplane parts]		Awrich	No

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8-29	EX	75/474,362	Float, Inc.	Cissel Hohein* Rogers	2(e)(1)	Refusal Affirmed		"FLOAT" [motor vehicle flood protection device, namely, a unitary flexible plastic waterproof container that can be sealed to enclose a motor vehicle to protect it from flood damage]		D.M. Lee	No
8-29	EX	75/479,446	Kenneth Picciuto	Simms Hanak Rogers*	whether the matter applicant seeks to register functions as a mark or is, rather, non-distinctive trade dress	Refusal Affirmed		configuration of a portion of applicant's goods, namely, a ring surrounding a sound emitting device [sound-emitting, chain-like devices for training animals and suitable for rattling and tossing]		Spils	No
8-29	EX	75/659,877	Anton/Bauer, Inc.	Simms Bottorff Rogers*	2(d)	Refusal Affirmed		"MAXX" [batteries for use with portable video equipment]	"MAX" (and design) [batteries]	Joyner	No
8-31	EX	75/566,128	Micro-Strategy Inc.	Chapman* Bucher Holtzman	Section 6 disclaimer requirement (of the letters "DSS")	Refusal Reversed		"DSS SUBSCRIBER" [computer programs for use in publishing and creating customized forms in a wide variety of fields]		Vanston	No

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8-31	EX	75/660,925	TGC, Inc.	Quinn Hairston* Wendel	2(d)	Refusal Affirmed		"TGC" (and design incorporating a stylized letter "G") [promoting and organizing golf-related sporting events (and related services); cable, wireless cable and/or satellite television broadcasting services for golf-related subject matter; producing and distributing entertainment and educational programming to cable, wireless cable and/or satellite television broadcasting systems featuring golf-related subject matter and providing golf-related information via a global information network]	"TGC THE GOLF CLUB" [mail order brochure services featuring golf equipment]	Bullock	No

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